From: Kupchan, Simma [Kupchan.Simma@epa.gov]

Sent: 2/7/2018 4:24:53 AM

To: Mancusi-Ungaro, Philip [Mancusi-Ungaro.Philip@epa.gov]

CC: Wade, Alexis [Wade.Alexis@epa.gov]; Wehling, Carrie [Wehling.Carrie@epa.gov]; Nalven, Heidi

[Nalven.Heidi@epa.gov]; Neugeboren, Steven [Neugeboren.Steven@epa.gov]

Subject: Re: Revised FL ESA paper

Thanks for taking the time to consider this issue so carefully, Alexis; and thanks to Phil for your thorough responses. Everything Phil wrote reflects my understanding of the issue.

Simma Kupchan Attorney-Advisor Water Law Office EPA Office of General Counsel 202-564-3105

On Feb 6, 2018, at 9:28 PM, Mancusi-Ungaro, Philip Mancusi-Ungaro.Philip@epa.gov> wrote:

Thanks Alexis, I have some comments I will put in caps below.

Phil

Sent from my iPhone

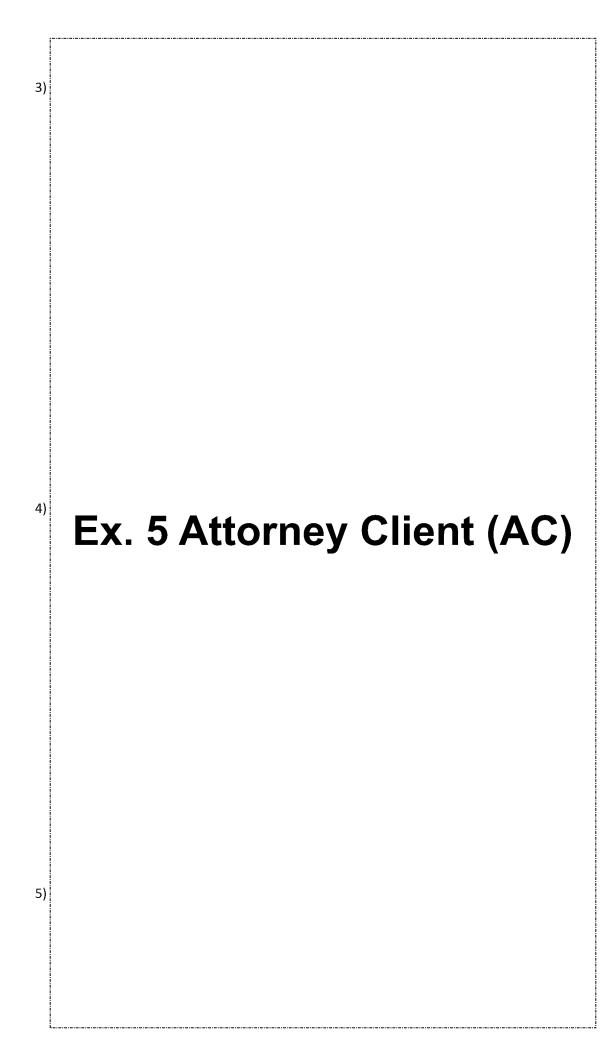
On Feb 6, 2018, at 8:07 PM, Wade, Alexis < Wade.Alexis@epa.gov > wrote:

So I know this is really late and I'm sorry I didn't have time to focus on this earlier. I've been muddling it over and I recognize I wasn't super articulate in our meeting earlier. I have some comments on the paper which I suppose we could just use to inform our conversation with David tomorrow. I know Steven but I'm coing him in case he might see this and has thoughts. I'll summarize what I'm working through.

1)

2)

Ex. 5 Attorney Client (AC)



Ex. 5 Attorney Client (AC)

I know the plan tomorrow is to present the issue and say we're working through it, but I think there's a lot more to discuss.

Thanks and again sorry it's so late in the day.

Alexis

Alexis Wade Attorney-Adviser Water Law Office EPA Office of General Counsel (202) 564-3273

From: Kupchan, Simma

Sent: Tuesday, February 06, 2018 2:57 PM

To: Wehling, Carrie < Wehling. Carrie@epa.gov >; Wade, Alexis < Wade. Alexis@epa.gov >;

Mancusi-Ungaro, Philip < Mancusi-Ungaro. Philip@epa.gov>

Cc: Nalven, Heidi < Nalven. Heidi@epa.gov>

Subject: Revised FL ESA paper

All,

Attached please find a significantly revised paper for our 9 am briefing with David F. tomorrow. I would like to send it to him shortly after 4 pm, so if you have the time and desire to comment before this goes to him, it would be great if you could send comments by 4.

If you have comments you'd like to share after 4 pm, please share, and we will accommodate them orally or with an updated version of the paper tomorrow at 9.

I sincerely apologize for the short turnaround.

Simma A. Kupchan EPA Office of General Counsel Water Law Office 202-564-3105 WJC North #7426Q

<ESA Issues in FL 404 Assumption 2.6.18 (asw).docx>